



California Fair Political Practices Commission

July 30, 1986

Michael W. McBeth, President
Woodside Neighborhood Association
2233 Ridgecrest Way
Pittsburg, CA 94565

Re: Your Request for Advice
Our File No. I-86-233

Dear Mr. McBeth:

Thank you for your request for advice on behalf of the Woodside Neighborhood Association regarding the conflict of interest provisions of the Political Reform Act (the "Act").^{1/}

The Commission is unable to render formal written advice to you regarding Supervisor Schroeder's obligations under the Act. Section 83114 authorizes the Commission to provide written advice to any person concerning his or her duties under the Act. Formal written advice may be requested only by the person whose duties under the Act are in question or by that person's authorized representative (See, 2 Cal. Adm. Code Section 18329(b)(8)(B), copy enclosed.)

I have enclosed a Guide to the Political Reform Act which may assist you in any future inquiries regarding the conflict of interest law for public officials. If you believe that a public official has already violated a provision of the Act, you may wish to file a complaint with the Commission's Enforcement Division (forms enclosed) or the local District Attorney's office.

If you have any questions regarding this letter, please contact me at (916) 322-5901.

Very truly yours,

Kathryn E. Donovan
Counsel
Legal Division

KED:DL:plh
Enclosures

^{1/} Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated.

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July 16, 1986

State of California
Fair Political Practice Commission
1100 'K' Street
Sacramento, CA 95804

+++CERTIFIED MAIL+++

RE: CONTRA COSTA COUNTY BOARD OF SUPERVISOR
ROBERT SCHROEDER
POSSIBLE CONFLICT OF INTEREST - LANDFILL VOTE

Gentlemen,

With reference to the above subject matter, we are writing to the Commission for clarification of the following situation.

Contra Costa County is currently facing a landfill (garbage) crisis. All of our landfills are due to reach capacity by the year 1989.

As of this writing, there are only 3 (three) privately proposed landfill sites. They are:

Proposed Landfill Sites =====	Private Developer's =====
Antioch/Mira Vista Hills	Sil Garaventa
Pittsburg/Kirker Pass Road	Sid Corey
Pittsburg/Bailey Road	Bud Olney

Of our five County Board of Supervisor's, Supervisor Robert Schroeder, representing Walnut Creek, Lafayette, Danville, San Ramon, Blackhawk and Pleasanton, we believe has a conflict of interest in voting on the three proposed landfill sites.

Supervisor Schroeder owns Schroeder Insurance Agency, 1410 N. Main Street, Walnut Creek, CA 94596, Telephone (415) 934-6789. His insurance agency insures Valley Disposal's garbage trucks (solid waste haulers). Valley Disposal will haul garbage to one, if not all, of the three landfill sites mentioned above.

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We admit that we have only given the Commission a brief synopsis of the background history involving a potential conflict. Nevertheless, we have made reference to all of the above to ask the Commission the following.

Since Supervisor Schroeder's agency insures a company that will ultimately utilize one or more of these landfill sites, can Supervisor Schroeder vote on this issue or must he abstain from voting due to a possible conflict of interest?

We regret that time is of the essence in this clarification. The County Board of Supervisor's could vote on the landfills as early as October of this year.

We would be most grateful to the Commission for investigating and clarifying this 'gray' area of concern.

Sincerely yours,



Michael W. McBeth
President, Woodside Neighborhood Association
2233 Ridgecrest Way
Pittsburg, CA 94565
(415) 427-5070

MWM/

cc: Mr. Dennis Cuff - Contra Costa Times
cc: Mr. Tim Roberts - Pittsburg Post Dispatch
cc: Ms. Linda Matsuda - Woodland Hills Neighborhood Association